

06-16-2003 08:38 FROM-RatnerPrestia

610 407 0701

T-770 P.021/028 F-744

MTS-520US2

PATENT

10
JUL
6-26

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Mitsuaki Oshima et al.	: Art Unit:	2134
Serial No.:	10/020,425	: Examiner:	Paul E. Callahan
Filed:	December 7, 2001	:	
For:	MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK	:	

TERMINAL DISCLAIMER TO
OVERTCOME DOUBLE PATENTING REJECTION

Assistant Commissioner for Patents

Washington, D.C. 20231

SIR :

I, Allan Ratner, represent that I am an attorney of record for this invention.

The Assignee is Matsushita Electric Industrial Co., Ltd.

The extent of the interest in this invention that the Assignee owns is in the whole of this invention, by virtue of an assignment from the inventor of U.S. patent application Serial No. 08/560,015, filed November 17, 1995, now United States Patent No. 5,761,301.

The Assignment was recorded on April 10, 1996, Reel 7884, Frame 0122. A copy thereof is attached.

The terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of any patent granted on second pending Application No.

MTS-520US2

- 2 -

09/588,364, filed on June 2, 2000, the term defined in 35 U.S.C. §§ 154 to 156 and 173 is hereby disclaimed, except as provided below. It is agreed that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and any patent so granted on the second pending application shall be commonly owned, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term (as defined in 35 U.S.C. §§ 154 to 156 and 173) of any patent granted on the second pending application, in the event that any such granted patent: later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is terminated prior to expiration of its full statutory term, except for the separation of legal title stated above.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the Assignee identified above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code and

06-16-2003 09:38 FROM-RatnerPrestia

610 407 0701

T-770 P.023/028 F-744

MTS-520US2

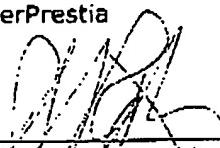
- 3 -

that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

A check in the amount of \$110.00 is enclosed in payment of the required processing fee as set forth in 37 C.F.R. § 1.17.

Respectfully Submitted,

RatnerPrestia



Allan Ratner, Reg. No. 19,717
Attorney for Applicants

AR:kC

Enclosure: Copy of Assignment Recordation

Dated: April 1, 2003

Suite 301
One Westlakes, Berwyn
P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

The Assistant Commissioner for Patents is
hereby authorized to charge payment to
Deposit Account No. 18-0350 of any fees
associated with this communication.

06-16-2003 08:38

FROM-RatnerPrestia

REC'D

JUL - 8 1996

RATNER & PRESTIA



610 407 0701

T-770 P.024/029 F-744

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

JUNE 29, 1996

PTAS



100173965A

RATNER & PRESTIA
ALLAN RATNER
P.O. BOX 980
500 N. GULPH ROAD
VALLEY FORGE, PENNSYLVANIA 19482

COPY

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/10/1996

REEL/FRAME: 7884/0122
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:
OSHIMA, MITSUAKI

DOC DATE: 02/20/1996

ASSIGNEE:
GOTOH, YOSHIHO

DOC DATE: 02/20/1996

ASSIGNEE:
MATSUSHITA ELECTRIC INDUSTRIAL CO. LTD.
1006, OAZA KADOMA, KADOMA-SHI
OSAKA, JAPAN 571

SERIAL NUMBER: 08560015
PATENT NUMBER:

FILING DATE: 11/17/1995
ISSUE DATE: —

KEITH GOODE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

06-16-2003 08:39

FROM-RatnerPrestia

610 407 0701

T-770 P.025/029 F-744

6-16-03
COPY

No legalization required

Official

ASSIGNMENT

WHEREAS, the ASSIGNOR, comprising the following named inventors:

Inventors

ASSIGNORS/
INVENTORS

1. Mitsuaki OSHIMA
2. Yoshiho GOTOH
- 3.
- 4.

TITLE

has made an invention entitled: MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK and has executed an application for Letters Patent of the United States concurrently herewith;

WHEREAS, the ASSIGNEE, comprising the following named company:

ASSIGNEE
(Full Name
and address)

1. MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.
of 1006 Oaza Kadoma, Kadoma-shi, Osaka 571 JAPAN

is desirous of acquiring the entire interest in and to said invention and the Letters Patent to be obtained therefor,

NOW, THEREFORE, in consideration of the payment by ASSIGNEE to ASSIGNOR of a sum corresponding to One Dollar (\$1.00), and for other good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR, intending to be legally bound, hereby sells, assigns and transfers to ASSIGNEE, its successors and assigns the full and exclusive right, title and interest in and to said invention, all applications for Letters Patent for said invention, including all divisions and continuations thereof, all rights to claim priority based thereon, and all Letters Patent, including reissues, to be obtained therefor, including any and all foreign patent rights in this invention corresponding thereto.

- 2 -

ASSIGNOR hereby warrants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Assignment.

ASSIGNOR agrees it shall be legally bound, upon request of the ASSIGNEE or its successors or assigns or a legal representative thereof, to supply all information and evidence of which the ASSIGNOR has knowledge or possession, relating to the making and practice of said invention, to testify in any legal proceeding relating thereto, to execute all instruments proper to patent the invention in the United States of America and foreign countries in the name of the ASSIGNEE, and to execute all instruments proper to carry out the intent of this instrument.

If the invention requires a biological deposit, ASSIGNOR also grants to ASSIGNEE such control over any deposit made by ASSIGNOR as may be necessary to the validity of the patent rights assigned herein.

ASSIGNOR authorizes ASSIGNOR's attorney to insert at the end hereof the serial number and filing date of the aforesaid application for United States Letters Patent and/or the Attorney docket or file designation for this application.

If the ASSIGNOR includes more than one individual, these obligations shall apply to these individuals both individually and collectively.

IN WITNESS WHEREOF, this Assignment is executed on the day indicated below.

	(Typed or Printed Name)	(Signature)	(Date)
SIGNATURE	1. Mitsuaki OSHIMA	<u>Mitsuaki Oshima</u>	<u>Feb. 20, 1996</u>
	2. Yoshiho GOTOH	<u>Yoshiho Gotoh</u>	<u>Feb. 20, 1996</u>
	3.	_____	_____
	4.	_____	_____

Application for United States Letters Patent

Serial No. 05-353,015 Filed November 17, 1995

Attorney Docket No.: MS-520